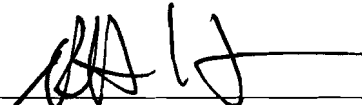


FEBRUARY 9, 2009

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON FEBRUARY 9, 2009, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE MINERAL, SURFACE, DEVELOPMENT, AND FEE WAIVER BUSINESS MATTERS AS INDICATED AND WHICH BECOME EFFECTIVE AT 6:00 P.M. ON FEBRUARY 9, 2009.

THESE MINUTES INCLUDE MINERAL ACTIONS AS LISTED ON PAGES 1 TO 9; SURFACE ACTIONS AS LISTED ON PAGES 9 TO 19; DEVELOPMENT ACTIONS AS LISTED ON PAGES 19 TO 20; AND ACTIONS CONTAINING FEE WAIVERS AS LISTED ON PAGE 20.

THESE MINUTES ARE DEEMED THE FINAL AGENCY ACTION CONCERNING THESE MATTERS AND ARE SUBJECT TO REVIEW AND/OR ADJUDICATION PURSUANT TO R850-8 OF THE AGENCY'S RULES. ANY APPEAL OF MATTERS CONTAINED WITHIN THESE MINUTES MUST BE IN WRITING, PURSUANT TO R850-8-1000, AND MUST BE RECEIVED BY THE OFFICE OF THE DIRECTOR BY 6:00 P.M. ON MONDAY, FEBRUARY 23, 2009. APPEALS NOT FILED BY THAT TIME WILL BE CONSIDERED UNACCEPTABLE AND THE MATTERS WILL BE UNAPPEALABLE.



KEVIN S. CARTER, DIRECTOR
SCHOOL AND INSTITUTIONAL
TRUST LANDS ADMINISTRATION

LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

MINERAL ACTIONS
*******MATERIAL PERMIT NO. 331 SAND AND GRAVEL REDUCTION IN MINIMUM ROYALTY PAYMENT (APPROVAL)**

PERMITTEE:

Nielson Construction Company
P.O. Box 620
850 North Loop Road
Huntington, UT 84528

AFFECTED LANDS:

Township 17 South, Range 8 East, SLB&M.
Section 10: NE¹/₄SW¹/₄, NW¹/₄SE¹/₄, NE¹/₄SE¹/₄
Section 11: NW¹/₄SW¹/₄, SW¹/₄SW¹/₄

COUNTY: Emery

ACRES: 200.00±

FUND: SCH

This site has been in production since 2005. The permit contains a minimum annual production provision of 80,000 cubic yards of material. Initially, the pit was utilized for the production of concrete aggregate. Inspection of the site indicates that the quality of material remaining is not of sufficient quality to be utilized for this purpose. It is expected that remaining material may be utilized in the local market for borrow and screened/crushed road base.

Upon recommendation of Mr. Tom Faddies, the Director approved the elimination of the minimum annual royalty payment associated with MP 331.

MATERIAL PERMIT NO. 317 SAND AND GRAVEL APPLICATION (REJECTION)

APPLICANT:

Rodger Graham
211 South Geneva Road
Linden, UT 84042

AFFECTED LANDS:

Township 38 South, Range 12 West, SLB&M.
Section 16: Within Metes and Bounds

COUNTY: Iron

ACRES: 14.82±

FUND: SCH

The above-referenced application for a materials permit to mine common sand and gravel was accepted February 23, 2005. The subject lands have been involved in a lengthy trespass issue. A question as to ownership of parts of the surface estate (sand and gravel) has been raised and questions as to if the Trust received title to parts of the surface estate remain in question.

Upon recommendation of Mr. Tom Faddies, the Director rejected the application for MP 317.

TOTAL ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of the leases listed below to Wilmington Trust Company, Trustee of the Philip T. Sharples Trust, 1660 Lincoln Street, Suite 3100, Denver, CO 80264, by Samuel Butler, III. No override, but subject to 1.5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

SAMUEL BUTLER, III – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

***WILMINGTON TRUST COMPANY, TRUSTEE
OF THE PHILIP T. SHARPLES TRUST – 100%***

....ML 51517 (SCH)....ML 51520 (SCH)....ML 51534 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of the leases listed below to Bill Barrett Corporation, 1099 18th Street, Suite 2300, Denver, CO 80202, by G3 Operating, LLC., who reserves 2% overriding royalty. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

G3 OPERATING, LLC – 100%

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

BILL BARRETT CORPORATION – 100%

....ML 51412 (SCH)....ML 51419 (SCH: 480.00; NS: 200.00)....ML 51420 (SCH)....

INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of 25% interest in and to the leases listed below to Fidelity Exploration & Production Company, 1700 Lincoln, Suite 2800, Denver, CO 80203, by Rampart Energy Fund LLC. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

***FIDELITY EXPLORATION & PRODUCTION
COMPANY – 75%,
RAMPART ENERGY FUND LLC – 25%***

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

***FIDELITY EXPLORATION & PRODUCTION
COMPANY - 100%***

....ML 49667 (SCH)....ML 49669 (SCH)....ML 49670 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of 12.5% interest in and to the lease listed below to Fidelity Exploration & Production Company, 1700 Lincoln, Suite 2800, Denver, CO 80203, by Rampart Energy Fund LLC. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

***TRACHYTE OIL COMPANY – 50%,
FIDELITY EXPLORATION & PRODUCTION
COMPANY – 37.50%,
RAMPART ENERGY FUND LLC – 12.5%***

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

***TRACHYTE OIL COMPANY – 50%,
FIDELITY EXPLORATION & PRODUCTION
COMPANY - 50%***

....ML 48405 (SCH)....

INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

Upon recommendation of Ms. Garrison, the Director approved the assignment of 1% interest in and to the lease listed below to Maryl Marcelite McCullough, Trustee of the Maryl Marcelite McCullough Living Trust, dated 8/6/08, 25415 SW Meadowbrook Lane, Sherwood, OR 97140, by Maryl Marcelite Cole McCullough. No override, but subject to 5% overriding royalty previously reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:

RECORD TITLE:

HOWARD WILLIAM DOUGHERTY, TRUSTEE
OF THE DOUGHERTY FAMILY TRUST- 31.35%,
BRET HARTE REALTY CO. - 12%,
ROBERT P. STRUB - 10%,
THE CATT FAMILY TRUST, D.L. CATT AND
B.W. CATT, TRUSTEES – 10.49499%,
PATRICIA JO BURKE - 6%,
JAMES IVERS, JR. - 5%,
MARY DOUGHERTY VOIGHT - 4%,
MARIA VIOLETA VAN RONZELEN V
VILLARREAL - 4%,
ELEANOR ERICKSON, TRUSTEE OF THE ELEANOR
ERICKSON LIVING TRUST - 2%,
THE H.J. STEVENS, JR. TRUST - 1.72%,
RICHARD C. JONES - 1.25%,
HENRY C. & CLAIRE MARTIN, TRUSTEES-1.04167%,
WILMA J. HUBBARD TRUST - 1%,
FRED L., JONES - 1%,
MARYL MARCELITE COLE MCCULLOUGH- 1%,
S.H. JOHNSON - .68%,
PAUL I. FAGEN OLDS - .625%,
HELENE FAGEN - .625%,
MICHAEL S. SPALDING - .625%,
PHILLIP H. SPALDING - .625%,
MARY DAVIS - .625%,
FRANCES VINING - .625%,
DAVID K. TERRELL - .5%,
ALBERT C. SMITH - .5%,
GOODALL W. MCCULLOUGH JR. - .5%,
D.L. CATT - .3%,
WAYNE J. SMITH - .25033%,
ANGELA JANKLOW TRUST, LINDA JANKLOW AS
TRUSTEE - .25%,
LUCAS JANKLOW TRST, LINDA LEROY JANKLOW
TRUSTEE - .25%,
GOODALL W. MCCULLOUGH III - .25%,
ROBERT A. MCCULLOUGH - .25%,
ALBERT G. SMITH - .24933%,
RICHARD G. SMITH - .167%,

OWNERSHIP AFTER ASSIGNMENT:

RECORD TITLE:

HOWARD WILLIAM DOUGHERTY, TRUSTEE
OF THE DOUGHERTY FAMILY TRUST-31.35%,
BRET HARTE REALTY CO. - 12%,
THE CATT FAMILY TRUST, D.L. CATT AND
B.W. CATT, TRUSTEES - 10.49499%,
ROBERT P. STRUB - 10%,
PATRICIA JO BURKE - 6%,
JAMES IVERS, JR. - 5%,
MARY DOUGHERTY VOIGHT - 4%,
MARIA VIOLETA VAN RONZELEN V
VILLARREAL - 4%,
ELEANOR ERICKSON, TRUSTEE OF THE
ELEANOR ERICKSON LIVING TRUST - 2%,
THE H.J. STEVENS, JR. TRUST - 1.72%,
RICHARD C. JONES - 1.25%,
HENRY C. & CLAIRE MARTIN, TRUSTEES-1.04167%,
WILMA J. HUBBARD TRUST - 1%,
FRED L. JONES - 1%,
***MARYL MARCELITE MCCULLOUGH, TRUSTEE OF
THE MARYL MARCELITE MCCULLOUGH LIVING
TRUST, DATED 8-6-08 – 1%,***
S.H. JOHNSON - .68%,
PAUL I. FAGEN OLDS - .625%,
HELENE FAGEN - .625%,
MICHAEL S. SPALDING - .625%,
PHILIP H. SPALDING - .625%,
MARY DAVIS - .625%,
FRANCES VINING - .625%,
DAVID K. TERRELL - .5%,
ALBERT C. SMITH - .5%,
GOODALL W. MCCULLOUGH, JR. - .5%,
D.L. CATT - .3%,
WAYNE J. SMITH - .25033%,
ANGELA JANKLOW TRUST, LINDA JANKLOW AS
TRUSTEE - .25%,
LUCAS JANKLOW TRST, LINDA LEROY JANKLOW
TRUSTEE - .25%,
GOODALL W. MCCULLOUGH III - .25%,
ROBERT A. MCCULLOUGH - .25%,

INTEREST ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

RICHARD CLAIRE SMITH - .08334%,
 STEPHEN T. MARTIN - .08334%,
 JAMES D. & MARGARET DOGGETT - .08%

ALBERT G. SMITH - .24933%,
 RICHARD G. SMITH - .167%,
 RICHARD CLAIRE SMITH - .08334%,
 STEPHEN T. MARTIN - .08334%,
 JAMES D. & MARGARET DOGGETT - .08%

....ML 3323 (SCH)....

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Ms. Garrison, the Director approved the assignment of 12.5% interest in operating rights in and to the lease listed below to Fidelity Exploration & Production Company, 1700 Lincoln, Suite 2800, Denver, CO 80203, by Rampart Energy Fund, LLC. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:**RECORD TITLE:**

TRACHYTE OIL COMPANY – 50%,
 FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 50%

OPERATING RIGHTS:

TRACHYTE OIL COMPANY – 50%,
 FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 37.50%,
RAMPART ENERGY FUND, LLC – 12.5%

OWNERSHIP AFTER ASSIGNMENT:**RECORD TITLE:**

TRACHYTE OIL COMPANY – 50%,
 FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 50%

OPERATING RIGHTS:

TRACHYTE OIL COMPANY – 50%,
***FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 50%***

....ML 48405 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of 25% interest in operating rights in and to the leases listed below to Fidelity Exploration & Production Company, 1700 Lincoln, Suite 2800, Denver, CO 80203, by Rampart Energy Fund, LLC. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:**RECORD TITLE:**

FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 100%

OPERATING RIGHTS:

FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 75%,
RAMPART ENERGY FUND, LLC – 25%

OWNERSHIP AFTER ASSIGNMENT:**RECORD TITLE:**

FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 100%

OPERATING RIGHTS:

***FIDELITY EXPLORATION & PRODUCTION
 COMPANY – 100%***

....ML 49667 (SCH)....ML 49669 (SCH)....ML 49670 (SCH)....

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

Upon recommendation of Ms. Garrison, the Director approved the assignment of .5% interest in operating rights only insofar as it covers from surface of the ground to the stratigraphic equivalent of the depth drilled in the State 32-32 Well, being 6200 feet in part of lands: NE¼ Sec. 32, T8S, R16E, SLB&M., 160.00 acres, in and to the lease listed below to Newfield RMI LLC, 1001 17th St., Suite 2000, Denver, CO 80202, by Merita Merritt Barbee. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:
RECORD TITLE:

OCEAN ENERGY INC. – 100%

***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 32-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 160.00 ACRES***

SEC. 32: NE¼

NEWFIELD PRODUCTION COMPANY-71.50%,
NEWFIELD RMI, LLC-12.5%,
JAMES FISHER-3%,
FOUR M COMPANY-2%,
Z. GREENBERG, TRUSTEE-2%,
MARGARET MERRITT-2%,
MERRITT OIL AND GAS-2%,
DONNA L. NEIFEH-2%,
H.C. BUIE-1%,
MICHAEL D. LEWIS-1%,
MERITA MERRITT BARBEE-.5%,
THOMAS K. LOWE-.5%,

OWNERSHIP AFTER ASSIGNMENT:
RECORD TITLE:

OCEAN ENERGY INC. – 100%

***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 32-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 160.00 ACRES***

SEC. 32: NE¼

NEWFIELD PRODUCTION COMPANY-71.50%,
NEWFIELD RMI, LLC-13%,
JAMES FISHER-3%,
FOUR M COMPANY-2%,
Z. GREENBERG, TRUSTEE-2%,
MARGARET MERRITT-2%,
MERRITT OIL AND GAS-2%,
DONNA L. NEIFEH-2%,
H.C. BUIE-1%,
MICHAEL D. LEWIS-1%,
THOMAS K. LOWE-.5%

....ML 21836 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of .5275% interest in operating rights only insofar as it covers from surface of the ground to the stratigraphic equivalent of the depth drilled in the State 24-32 Well, being 6200 feet in part of lands: NE¼SW¼ Sec. 32, T8S, R16E, SLB&M., 40.00 acres, in and to the lease listed below to Newfield RMI LLC, 1001 17th St., Suite 2000, Denver, CO 80202, by Merita Merritt Barbee. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:
RECORD TITLE:

OCEAN ENERGY INC. – 100%

***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 24-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 40.00 ACRES***

SEC. 32: NE¼SW¼

NEWFIELD PRODUCTION COMPANY-76.4225%,
NEWFIELD RMI, LLC-10.275%,
JAMES FISHER-3%,

OWNERSHIP AFTER ASSIGNMENT:
RECORD TITLE:

OCEAN ENERGY INC. – 100%

***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 24-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 40.00 ACRES***

SEC. 32: NE¼SW¼

NEWFIELD PRODUCTION COMPANY-76.4225%,
NEWFIELD RMI, LLC-10.8025%,
JAMES FISHER-3%,

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

MARGARET MERRITT-2.11%,
MERRIT OIL AND GAS-2.11%,
FOUR M COMPANY-2%,
THOMAS C. MERRITT-1.055%,
H.C. BUIE-1%,
MICHAEL D. LEWIS-1%,
MERITA MERRITT BARBEE-.5275%,
THOMAS K. LOWE-.5%

MARGARET MERRITT-2.11%,
MERRITT OIL AND GAS-2.11%,
FOUR M COMPANY-2%,
THOMAS C. MERRITT-1.055%,
H.C. BUIE-1%,
MICHAEL D. LEWIS-1%,
THOMAS K. LOWE-.5%

....ML 21836 (SCH)....

Upon recommendation of Ms. Garrison, the Director approved the assignment of .53% interest in operating rights only insofar as it covers from surface of the ground to the stratigraphic equivalent of the depth drilled in the State 24-32 Well, being 6200 feet in part of lands: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T8S, R16E, SLB&M., 40.00 acres, in and to the lease listed below to Newfield RMI LLC, 1001 17th St., Suite 2000, Denver, CO 80202, by Merita Merritt Barbee. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

OWNERSHIP BEFORE ASSIGNMENT:
RECORD TITLE:

OCEAN ENERGY INC. – 100%
***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 24-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 40.00 ACRES***
SEC. 32: SE $\frac{1}{4}$ SW $\frac{1}{4}$

NEWFIELD PRODUCTION COMPANY-76.87%,
NEWFIELD RMI, LLC-11.86%,
JAMES FISHER-3%,
MARGARET MERRITT-2.12%,
MERRITT OIL AND GAS-2.12%,
FOUR M COMPANY-2%,
H.C. BUIE-1%,
MERITA MERRITT BARBEE-.53%,
THOMAS K. LOWE-.5%

OWNERSHIP AFTER ASSIGNMENT:
RECORD TITLE:

OCEAN ENERGY INC. – 100%
***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 24-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 40.00 ACRES***
SEC. 32: SE $\frac{1}{4}$ SW $\frac{1}{4}$

NEWFIELD PRODUCTION COMPANY-76.87%,
NEWFIELD RMI, LLC-12.39%,
JAMES FISHER-3%,
MARGARET MERRITT-2.12%,
MERRITT OIL AND GAS-2.12%,
FOUR M COMPANY-2%,
H.C. BUIE-1%,
THOMAS K. LOWE-.5%

....ML 21836 (SCH)....

OPERATING RIGHTS ASSIGNMENTS – OIL, GAS, AND HYDROCARBON LEASES (CONTINUED)

Upon recommendation of Ms. Garrison, the Director approved the assignment of .5% interest in operating rights only insofar as it covers from surface of the ground to the stratigraphic equivalent of the depth drilled in the State 24-32 Well, being 6200 feet in part of lands: SW¹/₄SW¹/₄ Sec. 32, T8S, R16E, SLB&M., 40.00 acres, in and to the lease listed below to Newfield RMI LLC, 1001 17th St., Suite 2000, Denver, CO 80202, by Merita Merritt Barbee. No override, but subject to previous overrides as reserved. Effective June 1, 2004, the Trust Lands Administration assumes no responsibility in reviewing, collecting, or distributing overriding royalty.

**OWNERSHIP BEFORE ASSIGNMENT:
RECORD TITLE:**

OCEAN ENERGY INC. – 100%

***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 24-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 40.00 ACRES
SEC. 32: SW¹/₄SW¹/₄***

NEWFIELD PRODUCTION COMPANY-71.44%,
NEWFIELD RMI, LLC-12.55%,
JAMES FISHER-3%,
FOUR M COMPANY-2%,
Z. GREENBERG, TRUSTEE-2%,
MARGARET MERRITT-2%,
MERRITT OIL AND GAS-2%,
DONNA L. NEIFEH-2%,
H.C. BUIE-1.01%,
MICHAEL D. LEWIS-1%,
MERITA MERRITT BARBEE-.5%,
THOMAS K. LOWE-.5%

**OWNERSHIP AFTER ASSIGNMENT:
RECORD TITLE:**

OCEAN ENERGY INC. – 100%

***OPERATING RIGHTS: FROM SURFACE TO
STRATIGRAPHIC EQUIVALENT OF DEPTH
DRILLED IN STATE 24-32 WELL, 6200 FEET
T8S, R16E, SLB&M. 40.00 ACRES
SEC. 32: SW¹/₄SW¹/₄***

NEWFIELD PRODUCTION COMPANY-71.44%,
NEWFIELD RMI, LLC-13.05%,
JAMES FISHER-3%,
FOUR M COMPANY-2%,
Z. GREENBERG, TRUSTEE-2%,
MARGARET MERRITT-2%,
MERRITT OIL AND GAS-2%,
DONNA L NEIFEH-2%,
H.C. BUIE-1.01%,
MICHAEL D. LEWIS-1%,
THOMAS K. LOWE-.5%

....ML 21836 (SCH)....

AMENDMENT OF METALLIFEROUS MINERALS LEASE - ML 50217 (SCH)

Through inventory of our lands, it has been found that the county in the above-numbered lease was in error. The lease was issued as follows (affected county is bolded and italicized):

T26S, R13E, SLB&M.
SEC. 32: ALL

EMERY COUNTY
640.00 ACRES

CORRECTED LEGAL DESCRIPTION:

T26S, R13E, SLB&M.
SEC. 32: ALL

EMERY AND WAYNE COUNTIES
640.00 ACRES

The parties have agreed that there will be no retroactive refunds or charges to lessee for incorrect descriptions resulting in overpayment or underpayment of rentals. However, any changes to delay rental amounts will be effective immediately and corrected amounts will be due commencing on the next ensuing anniversary date of the lease following the effective date of this amendment and will continue at that rate so long as the lease remains valid and in full force and effect unless the Record Title Lessee is notified otherwise by TLA.

AMENDMENT OF METALLIFEROUS MINERALS LEASE - ML 50217 (SCH) (CONTINUED)

The lease and all other of its terms and conditions remain in full force and effect and are ratified hereby. To the extent necessary to effectuate the intent of the parties stated herein, this amendment shall be deemed to contain present words of grant.

This amendment has been agreed to and executed by the current lessee of record, Samson Resources Company, P.O. Box 21022, Tulsa, OK 74121.

Upon recommendation of Mr. Stokes, the Director approved the above amendment as listed.

AMENDMENT OF METALLIFEROUS MINERALS LEASE - ML 50220 (SCH)

Through inventory of our lands, it has been found that the county in the above-numbered lease was in error. The lease was issued as follows (affected county is bolded and italicized):

T26S, R14E, SLB&M.

SEC. 36: ALL

EMERY COUNTY

640.00 ACRES

CORRECTED LEGAL DESCRIPTION:

T26S, R14E, SLB&M.

SEC. 36: ALL

EMERY AND WAYNE COUNTIES

640.00 ACRES

The parties have agreed that there will be no retroactive refunds or charges to lessee for incorrect descriptions resulting in overpayment or underpayment of rentals. However, any changes to delay rental amounts will be effective immediately and corrected amounts will be due commencing on the next ensuing anniversary date of the lease following the effective date of this amendment and will continue at that rate so long as the lease remains valid and in full force and effect unless the Record Title Lessee is notified otherwise by TLA.

The lease and all other of its terms and conditions remain in full force and effect and are ratified hereby. To the extent necessary to effectuate the intent of the parties stated herein, this amendment shall be deemed to contain present words of grant.

This amendment has been agreed to and executed by the current lessee of record, Samson Resources Company, P.O. Box 21022, Tulsa, OK 74121.

Upon recommendation of Mr. Stokes, the Director approved the above amendment as listed.

AMENDMENT OF METALLIFEROUS MINERALS LEASE - ML 50223 (SCH)

Through inventory of our lands, it has been found that the county in the above-numbered lease was in error. The lease was issued as follows (affected county is bolded and italicized):

T26S, R15E, SLB&M.
SEC. 32: ALL

EMERY COUNTY
640.00 ACRES

CORRECTED LEGAL DESCRIPTION:

T26S, R15E, SLB&M.
SEC. 32: ALL

EMERY AND WAYNE COUNTIES
640.00 ACRES

The parties have agreed that there will be no retroactive refunds or charges to lessee for incorrect descriptions resulting in overpayment or underpayment of rentals. However, any changes to delay rental amounts will be effective immediately and corrected amounts will be due commencing on the next ensuing anniversary date of the lease following the effective date of this amendment and will continue at that rate so long as the lease remains valid and in full force and effect unless the Record Title Lessee is notified otherwise by TLA.

The lease and all other of its terms and conditions remain in full force and effect and are ratified hereby. To the extent necessary to effectuate the intent of the parties stated herein, this amendment shall be deemed to contain present words of grant.

This amendment has been agreed to and executed by the current lessee of record, Samson Resources Company, P.O. Box 21022, Tulsa, OK 74121.

Upon recommendation of Mr. Stokes, the Director approved the above amendment as listed.

SURFACE ACTIONS

GRAZING PERMITS**GRAZING PERMIT NO. 21727-01 (AMENDMENT - ADDITION OF ACREAGE)**

Pete Stamatakis, 1111 South 450 West, Price, UT 84501, has requested the addition of the following acreage to the above referenced grazing permit:

T15S, R9E, SLB&M
Sec. 16: All 640.00 Acres 0 AUMs

GP 21727-01 will now contain 4,080.00 acres. The \$50.00 amendment fee has been paid. Garfield County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the addition of acreage for GP 21727-01.

GRAZING PERMIT NO. 23297 (AMENDMENT - ADDITION OF ACREAGE AND AUMS)

Jacob Chalk Creek LLC, 2737 Pierce Ave., Ogden, UT 84403, has requested the addition of the following acreage to the above referenced grazing permit:

T16S, R12W, SLB&M

Sec. 36: E½	320.00 Acres	12 AUMs
-------------	--------------	---------

T16S, R14W, SLB&M

Sec. 16: All	640.00 Acres	1 AUM
Sec. 32: All	640.00 Acres	1 AUM

T16S, R15W, SLB&M

Sec. 36: All	640.00 Acres	3 AUMs
--------------	--------------	--------

GP 23297 will now contain 3,540.80 acres and 77.00 AUMs. The \$50.00 amendment fee, \$1.70 weed fee, and \$64.60 grazing fee have been paid. Millard County. School Fund.

Upon recommendation of Mr. Ron Torgerson, the Director approved the addition of acreage and AUMs for GP 23297.

GRAZING PERMIT NO. 20138 (ASSIGNMENT)

Rex McPherson, 75 West 500 North, Nephi, UT 84648, has requested the Trust Lands Administration's permission to assign 100% interest in the above referenced grazing permit to Kelton McPherson, 546 South 200 East, Nephi, UT 84648. The assignment fee in the amount of \$47.00 has been submitted. Juab County. School Fund.

Upon recommendation of Mr. Scott Chamberlain, the Director approved the assignment of GP 20138.

EASEMENTS**EASEMENT NO. 1464 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

West Ridge Resources, Inc.
794 North 'C' Canyon Road
P.O. Box 910
East Carbon, Utah 84520

LEGAL DESCRIPTION:

Township 14 South, Range 13 East, SLB&M
Section 16: NE¼SE¼, S½NE¼, E½NW¼ (within)

Segment B (Overhead Construction)

EASEMENT NO. 1464 (APPROVAL) (CONTINUED)

A strip of land encompassing 10.0 feet on each side of a centerline (20.0 feet total) beginning at a point located 607.13 feet south of the east quarter corner of Section 16, Township 14 South, Range 13 East, of the Salt Lake Base and Meridian; thence running S 79°25'42" W for 492.81 feet; thence N 06°23'38" W for 1020.0 feet; thence N 56°39'56" W for 1640.0 feet; thence N 87°47'50" W for 700.0 feet; thence N 39°29'09" W for 1715.0 feet; thence N 15°55'17" E for 73.92 feet to the end point of Segment B which is located 1078.79 feet N 89°54'21" W of the north quarter corner of Section 16 for a total length of approximately 5641.7 feet. Contains 2.59 acres more or less.

COUNTY: Carbon

ACRES: 2.59

FUND: School

PROPOSED ACTION:

The applicant requests an easement to construct, operate, repair, and maintain a 12.5 kV overhead power line within the vicinity of the West Ridge Coal Mine in Carbon County. The power line will be used to service a proposed ventilation fan to be located on adjacent BLM lands. The power line will generally follow the existing Bear Canyon Road. The proposed easement corridor is 5,641.7 feet long and 20 feet wide, containing 2.59 acres. The term of the easement will be 30 years.

RELEVANT FACTUAL BACKGROUND:

The Resource Development Coordinating Committee ("RDCC") review was initiated on December 4, 2008. Comments were received from the Southeastern Utah Association of Governments as follows:

"Favorable comment recommended."

The applicant has been notified of the comment provided by the RDCC.

The project area has been surveyed for cultural resources by Senco-Phenix (U-08-SC-1088b,s). No cultural resources were identified during this survey. The Trust Lands Administration's staff archaeologist has reviewed this survey and has granted archaeological clearance with a finding of "No Historic Properties."

EVALUATION OF FACTS:

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1464 for a term of 30 years beginning February 1, 2009, and expiring January 31, 2039, with the easement fee being \$4,103.27 plus the \$750.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement, with the first payment being due on January 1, 2012.

EASEMENT NO. 1465 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

West Ridge Resources, Inc.
794 North 'C' Canyon Road
P.O. Box 910
East Carbon, Utah 84520

LEGAL DESCRIPTION:

Township 14 South, Range 13 East, SLB&M

Section 16: NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ (within)

Segment B (Overhead Construction)

Encompassing 10.0 feet on each side of a centerline (20.0 feet total) beginning at a point located 607.13 feet south of the east quarter corner of Section 16, Township 14 South, Range 13 East, of the Salt Lake Base and Meridian; thence running S 79°25'42" W for 492.81 feet; thence N 06°23'38" W for 1020.0 feet; thence N 56°39'56" W for 1640.0 feet; thence N 87°47'50" W for 700.0 feet; thence N 39°29'09" W for 1715.0 feet; thence N 15°55'17" E for 73.92 feet to the end point of Segment B which is located 1078.79 feet N 89°54'21" W of the north quarter corner of Section 16 for a total length of approximately 5641.7 feet. Contains 2.59 acres more or less.

Township 14 South, Range 13 East, SLB&M

Section 10: NW $\frac{1}{4}$ NW $\frac{1}{4}$ (within)

Segment #4 (Right Fork of Bear Canyon)

Encompassing 10.0 feet on each side of a centerline (20.0 feet total) beginning at a point located 144.37 feet N 00°15'29" W from the southwest corner of the northwest quarter of the northwest quarter of Section 10, Township 14 South, Range 13 East, of the Salt Lake Base and Meridian; and then generally following the centerline of the existing Bear Canyon Road (Right Fork) described as: Running N 66°51'44" E 100.0 feet; thence N 65°45'21" E 100.0 feet; thence N 66°10'13" E 100.0 feet; thence N 66°15'33" E 100.0 feet; thence N 65°07'32" E 100.0 feet; thence N 63°45'38" E 100.0 feet; thence N 64°19'24" E 100.0 feet; thence N 67°48'19" E 100.0 feet; thence N 70°05'24" E 100.0 feet; thence N 67°36'05" E 100.0 feet; thence N 67°01'45" E 100.0 feet; thence N 64°06'37" E 100.0 feet; thence N 59°58'19" E 100.0 feet; thence N 57°43'53" E 100.0 feet; thence N 56°07'10" E 71.38 feet to the end point of Segment #4 which is located 539.63 feet S 00°16'14" E from the northeast corner of the northwest quarter of the northwest quarter of Section 10 for a total length off approximately 1471.4 feet. Contains 0.67 acres more or less.

Township 14 South, Range 13 East, SLB&M

Section 3: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ (within)

Segment #6 (Right Fork of Bear Canyon)

Encompassing 10.0 feet on each side of a centerline (20.0 feet total) beginning at a point located 108.55 feet N 89°42'53" W of the south quarter corner of Section 3, Township 14 South, Range 13 East, of the Salt Lake Base and Meridian, and then generally following the centerline of the existing Bear Canyon Road (Right Fork) described as: Running N 47°09'23" E 100.0 feet; thence N 39°10'01" E 100.0 feet; thence N 31°01'58" E 100.0 feet; thence N 30°31'40" E 100.0 feet; thence N 31°22'53" E 100.0 feet; thence N 31°53'40" E 100.0 feet; thence N 28°46'36" E 100.0 feet; thence N 24°55'06" E 100.0 feet; thence N 24°42'36" E 100.0 feet; thence N 29°27'08"

EASEMENT NO. 1465 (APPROVAL) (CONTINUED)

E 100.0 feet; thence N 37°57'12" E 50.0 feet; thence N 45°46'33" E 50.0 feet; thence N 51°49'16" E 50.0 feet; thence N 56°04'52" E 50.0 feet; thence N 59°51'07" E 50.0 feet; thence N 63°56'45" E 50.0 feet; thence N 68°18'01" E 50.0 feet; thence N 72°39'28" E 50.0 feet; thence N 77°22'14" E 50.0 feet to the end point of Segment #6 which is located 610.46 feet S 65°03'48" W of the northeast corner of the southwest quarter of the southeast quarter of Section 3 for a total length of approximately 2060.5 feet. Contains 0.95 acres more or less.

COUNTY: Carbon

ACRES: 4.21

FUND: School

PROPOSED ACTION:

The applicant requests an easement to construct, operate, repair, and maintain a fiber optics communications line near the West Ridge Coal Mine in Carbon County. The fiber optics line will be used to service methane gas monitors located near a gob gas vent hole that was recently drilled into the coal mine. The line will be buried within an existing roadway through Sections 3 & 10 and then will be co-located with a proposed overhead power line through Section 16. The proposed power line is being reviewed separately under Easement No. 1464. The proposed easement corridor is 9,173.6 feet long and 20 feet wide, containing 4.21 acres. The term of the easement will be 30 years.

RELEVANT FACTUAL BACKGROUND:

The Resource Development Coordinating Committee ("RDCC") review was initiated on December 4, 2008. No comments were submitted.

The portion of the project that will be co-located on the proposed power line has been surveyed for cultural resources by Senco-Phenix (U-08-SC-1088b,s). No cultural resources were identified during this survey. The remainder of the project will be buried within an existing road, resulting in no new ground disturbance. The Trust Lands Administration's staff archaeologist has reviewed the proposed project and has granted archaeological clearance with a finding of "No Historic Properties."

EVALUATION OF FACTS:

1. The proposed easement is not located entirely on trust lands.
2. The proposed easement term is for a period of 30 years.
3. The applicant has paid the School and Institutional Trust Lands Administration the fees as determined pursuant to R850-40-600.
4. The proposed easement will not have an unreasonably adverse affect on the developability or marketability of the subject property.

The action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Chris Fausett, the Director approved Easement No. 1465 for a term of 30 years beginning February 1, 2009, and expiring January 31, 2039, with the easement fee being \$6,672.00 plus the \$750.00 application fee. Pursuant to R850-40-1800, an administrative fee will be assessed every three years throughout the term of the easement, with the first payment being due on January 1, 2012.

SPECIAL USE LEASE AGREEMENTS**SPECIAL USE LEASE AGREEMENT NO. 1583 (APPROVAL)****APPLICANT'S NAME AND ADDRESS:**

Kerr-McGee Oil & Gas Onshore LP
 1368 South 1200 East
 Vernal, Utah 84078

APPLICATION TYPE: INDUSTRIAL

TERMS: 30 years

BEGINNING DATE: February 1, 2009

ENDING DATE: January 31, 2039

NEXT REVIEW DATE: February 1, 2014

FIRST YEAR RENTAL: \$12,500.00

APPLICATION FEE: \$ 250.00

PROCESSING FEE: \$ 700.00

TOTAL SUBMITTED: \$13,450.00

LEGAL DESCRIPTION:

Township 10 South, Range 21 East, SLB&M
 Section 16: SW¼NE¼ (within)

Beginning at a point in the SW¼NE¼ of Section 16, T10S, R21E, SLB&M, which bears N 78°49'31" W 1418.21 ft from the East Quarter Corner of said Section 16, thence N 83°07'07" W 92.25 ft; thence S 06°46'43" W 277.10 ft; thence N 83°13'17" W 300.00 ft; thence N 06°46'43" E 273.99 ft; thence N 78°18'08" W 24.89 ft; thence N 39°55'19" E 298.82 ft; thence S 49°22'43" E 151.39 ft; thence S 34°46'00" E 93.54 ft; thence S 27°56'53" E 115.68 ft to the point of beginning. Basis of bearings is a G.P.S. observation.

Containing 3.230 acres, more or less.

COUNTY: Uintah

ACRES: 3.230

FUND: School

PROPOSED ACTION:

The applicant proposes to operate and maintain a gas compressor and gun barrel facility, described as the South Compressor Site and South Gun Barrel Facility. The gas compressor facility will supplement existing and new development in the area. This compressor is located on State Lease ML10755 within the Natural Buttes Unit, which Kerr-McGee Oil and Gas Onshore L.P. is the operator. The term of the special use lease agreement will be 30 years.

RELEVANT FACTUAL BACKGROUND:

The applicant was given approval to construct this compressor facility as the operator of ML10755. This mineral lease gives the applicant permission to develop the mineral estate and the facility was constructed in 1996. At that time, only on-lease gas was processed at the facility. A lease is now needed to process off-lease gas, install additional compressors, and add the gun barrel facility to the site.

Even though this site was developed under ML10755, the project was reviewed by Resource Development Coordinating Committee ("RDCC") due to the installation of the new gun barrel facility. Comments are as follows:

Division of Air Quality:

"This proposal will require a permit, known as an approval Order, from the Executive Secretary of the Air Quality Board. A permit application, known as a Notice of Intent (NOI), should be submitted to the Executive Secretary at the Utah Division of Air Quality at 150 North 1950 West, Salt Lake City, Utah 84116, for review according to R307-401: Permit: Notice of Intent and Approval Order, of the Utah Air Quality Rules. The guidelines for preparing a NOI are available on-line at: <http://www.airquality.utah.gov/Permits/FORMS/NOIGuide8.pdf>

SPECIAL USE LEASE AGREEMENT NO. 1583 (APPROVAL) (CONTINUED)

"In addition, the project is subject to R307-205-5, Fugitive Dust, since the project could have a short-term impact on air quality due to the fugitive dust that could be generated during the excavation and construction phases of the project. An Approval Order is not required solely for the control of fugitive dust, but steps need to be taken to minimize fugitive dust, such as watering and/or chemical stabilization, providing vegetative or synthetic cover, or windbreaks. A copy of the rules may be found at: www.rules.utah.gov/publicat/code/r307/r307.htm"

Utah Geological Survey:

"Although there are no paleontological localities recorded in our files for this project area, the Eocene Uinta Formation exposed here has the potential for yielding significant vertebrate fossil localities. The Office of the State Paleontologist, therefore, recommends a paleontological survey be conducted for this project and its easements by a paleontologist with a valid permit."

The applicant was notified of these comments.

Trust Land Administration's staff has reviewed a cultural survey completed by Montgomery, #U-09-MQ-0009s, with a finding of no sites identified in the project area.

A paleontological survey was conducted by Stephen Sandau, paleontologist for Intermountain Paleo-Consulting on October 23, 2007. The project area covered in the survey showed no signs of vertebrate fossils. Therefore, we recommend that no paleontological restrictions be placed on the development of the project. Should fossils be discovered during construction, a qualified paleontologist should be contacted to evaluate the discovery.

The lease will contain a clause to address the cultural and paleontological concerns within the project area in Paragraph Number 9 of the lease agreement.

EVALUATION OF FACTS:

The application was exempt from competitive leasing pursuant to R850-30-500 (2)(c).

Based on comparable leases, the rental of \$12,500.00 per year meets the fair market value requirement of R850-30-400. The lease will have a clause providing for escalation of the annual rental at the end of each five-year period utilizing the approved index.

This action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Kurt Higgins, the Director approved the issuance of SULA 1583, with a beginning base rental of \$12,500.00. The term of the lease will be 30 years, with a five-year rental review pursuant to R850-30-400.

SPECIAL USE LEASE AGREEMENT NO. 1620 (APPROVAL)**APPLICANT'S NAME AND ADDRESS:**

Clean Harbors Grassy Mountain, LLC
 42 Longwater Drive
 Norwell, MA 02061

APPLICATION TYPE: INDUSTRIAL

TERMS: 20 years

BEGINNING DATE: August 1, 2008

ENDING DATE: July 31, 2028

NEXT REVIEW DATE: August 1, 2013

FIRST YEAR RENTAL: \$1,500.00

APPLICATION FEE: \$ 250.00

PROCESSING FEE: \$ 700.00

ADVERTISING FEE: \$ 75.00

TOTAL SUBMITTED: \$2,525.00

LEGAL DESCRIPTION:

Township 1 North, Range 12 West, SLB&M
 Section 2: SW¼ (within)

Beginning at the SW corner of said Section 2; thence due North 600 feet; thence due East 200 feet; thence due South 600 feet; thence due West 200 feet to the point of beginning.

Containing 2.75 acres, more or less.

COUNTY: Tooele

ACRES: 2.75

FUND: School

PROPOSED ACTION:

The applicant proposes to construct, operate, and maintain a water well and water tank site, which was previously authorized under SULA 787, now expired. The proposed lease term is 20 years.

RELEVANT FACTUAL BACKGROUND:

This new application will replace SULA 787, which expired after a term of 20 years. No new activity or site use will occur on this property. As no new site disturbance will occur, an archaeological survey will not be required for this project.

A public notice was sent out for this project. This application is exempt from review by the Resource Development Coordinating Committee ("RDCC") because it is for a continuation of an existing use.

EVALUATION OF FACTS:

Competing applications were solicited pursuant to R850-30-500(2) and no competing applications were received.

Based on comparable leases, the rental of \$1,500.00 per year meets the fair market value requirement of R850-30-400. The lease will have a clause providing for escalation of the annual rental at the end of each five-year period utilizing the approved index.

This action qualifies as an exclusion to the narrative record of decision process because it does not warrant the time and expense necessary to complete a full narrative record. Therefore, this summary will constitute the record of decision.

Upon recommendation of Mr. Kurt Higgins, the Director approved the issuance of SULA 1620 with a beginning base rental of \$1,500.00. The term of the lease will be 20 years, with a five-year rental review pursuant to R850-30-400.

SPECIAL USE LEASE AGREEMENT NO. 1618 (WITHDRAWAL OF APPLICATION)

Kerr-McGee Oil & Gas Onshore LP, 1368 South 1200 East, Vernal, UT 84078, submitted Special Use Lease Application No. 1618 on October 20, 2008. This site falls within existing Special Use Lease Agreement No. 1508, leased to the applicant. Therefore, Special Use Lease Application No. 1618 has been withdrawn. No fees have been paid for this lease. Uintah County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the withdrawal of SULA 1618.

SPECIAL USE LEASE AGREEMENT NO. 1569 (WITHDRAWAL OF APPLICATION)

On November 7, 2007, Symbiotics LLC, 975 South Highway 89-91, Logan, Utah 84321, applied for a special use lease for a pumped storage project (Hook Canyon). No action has been taken and the overall project has been withdrawn; therefore, the applicant has requested withdrawal of SULA 1569. No fees have been paid for this lease. Rich County. School Fund.

Upon recommendation of Mr. Kurt Higgins, the Director approved the withdrawal of SULA 1569.

SPECIAL USE LEASE AGREEMENT NO. 427 (EXPIRATION)

The above-referenced special use lease, issued to Burnell Slaugh, 10973 Circle S. Ranch Rd., Vernal, UT 84078, expired its term on December 31, 2008. SULA 427 was an agricultural lease. The lessee has applied for a new lease (SULA 1624, which is in process) to utilize this property. Trust Lands Administration records should be noted to show this expiration. Uintah County. School Fund.

This item was submitted by Mr. Scott Chamberlain for record-keeping purposes.

SPECIAL USE LEASE AGREEMENT NO. 1272 (AMENDMENT NO. 1)

The above referenced special use lease is held by Utah Back Country Pilots, Inc., formerly Utah Back Country Pilots Association, a non-profit corporation, 1887 S. Redwood Road #16, Woods Cross, UT 84102. The current purpose of the lease is for utilizing and improving an existing runway and airstrip and for recreational camping and hiking in conjunction with the use of the runway and airstrip. The lessee has requested that the purpose of the lease be amended/clarified to include language which specifies the subject tract is open to the general public for utilizing the airstrip and recreational camping and hiking at no fee to the general public. The lease is current as to form and is returning fair market lease rental. The \$400.00 amendment fee has been received. Wayne County. School Fund.

Upon recommendation of Mr. Lou Brown, the Director approved the amendment of SULA 1272 as stated above.

SPECIAL USE LEASE AGREEMENT NO. 1164 (RECLAMATION BOND)

Pursuant to Paragraph 14 of the lease agreement, Tower Asset Sub, LLC, c/o American Tower Corporation, Land Management, 10 Presidential Way, Woburn, MA 01801, has submitted Corporate Surety Bond No. BLN-1879990. The bonding company is The Hanover Insurance Company, 440 Lincoln Street, Worcester, MA 01653. The reclamation bond is for \$10,000.00 and will remain in full force and effect until released by the Trust Lands Administration. Iron County. School Fund.

Upon recommendation of Mr. Gary Bagley, the Director accepted the bond submitted for SULA 1164.

SPECIAL USE LEASE AGREEMENT NO. 1412 (FIVE-YEAR REVIEW)

SULA 1412 is a telecommunications lease issued to Emery Telcom Wireless, Inc., 455 East Highway, P. O. Box 629, Orangeville, UT 84537. The lease site is located in Carbon County. School Fund.

1. **ANNUAL BASE RENTAL:**

The five-year lease rental review date for this telecommunication lease is March 1, 2009. The subject property is used for a communication tower and equipment. The lease agreement provides for periodic increases in the annual base rental amount and subleasing amounts. Pursuant to the use of the Consumer Price Index ("CPI") inflationary adjustment, allowed at the end of the first five-year period, it is recommended that the annual base rental be increased from \$2,000.00 to \$2,300.00, effective March 1, 2009. The lease currently has one approved sublessee (Sublease No. 1 to Nextel). The annual sublease portion of the rental due the Trust Lands Administration for Sublease No. 1 shall also increase (per CPI inflationary adjustment) from \$3,200.00 to \$3,680.00, also effective March 1, 2009. The total combined rental due March 1, 2009, shall be \$5,980.00. A certified notice was sent to inform the lessee of this action. No response has been received.

Preliminary Estimate of Land Value: \$750.00 (based on \$3,000.00 per acre)

New Combined Rental Amount: \$5,980.00

Acres in Lease: 0.25

Rental Amount/Acre: \$23,920.00

The existing communication lease site is considered the highest and best use of a small parcel of this type of land. The difference in the fair market value of the subject parcel and the surrounding lands valued as raw lands vs. the highest and best use return as a communication site is significant.

2. **DUE DILIGENCE AND PROPER USE:**

The development allowed by the lease has occurred. It is recommended that the lease be kept in force. The leased premises are being used in accordance with the lease agreement.

3. **ADEQUATE INSURANCE AND BOND COVERAGE:**

Updated insurance coverage is being reviewed and requested by staff. The lease provides for a bond, but there is not one in place. The lessee is being currently contacted and a bond is being requested.

4. **ESTABLISHMENT OF WATER RIGHTS:**

There are no water rights associated with this lease.

5. **POLLUTION AND SANITATION REGULATIONS:**

The Trust Lands Administration is unaware of any violations of valid sanitation and pollution regulations as prescribed by any governmental agency having jurisdiction. There is no evidence of underground storage tanks on the premises.

6. **NEXT REVIEW DATE:**

The next review date will be March 1, 2014.

Upon recommendation of Mr. Bagley, the Director approved the five-year review for SULA 1412.

WATER RIGHTS**WATER RIGHT NO. 15-5038 (APPROVED APPLICATION)**

This application was filed on September 9, 2008, to appropriate 4.73 acre-feet of water from an underground well, to be located at the following point: North 2057 feet and East 576 feet from the S¼ Corner of Section 15, T5S, R6E, SLB&M. The water is to be used for the stock-watering requirements of 169 equivalent livestock units from January 1 to December 31. This water right was approved by the State Engineer in a Memorandum Decision dated January 27, 2009.

This item was submitted by Mr. Wilcox for record-keeping purposes.

WATER RIGHT NO. 95-5234 (APPROVED APPLICATION)

This application was filed on May 30, 2008, to appropriate 1.5 acre-feet of water from an unnamed wash, located at the following point: North 1155 feet and East 210 feet from the W¼ Corner of Section 36, T29S, R10E, SLB&M. The water will be stored in a small reservoir know as the Wood Pond. The water is to be used for the stock-watering requirements of 80 equivalent livestock units from January 1 to December 31. This water right was approved by the State Engineer in a Memorandum Decision dated January 27, 2009.

This item was submitted by Mr. Wilcox for record-keeping purposes.

DEVELOPMENT ACTIONS

COMMERCE DRIVE EXTENSION ROAD DEDICATION (DEVL 895)

PROJECT:	Ft. Pierce
PROJECT MANAGER:	Alexa Wilson
PROJECT CODE:	FPIND 000 00
BENEFICIARY:	School
DATE OF RECORDING:	July 7, 2003
PLAT DEDICATION NO.:	181

CONVEYANCE TO:
St. George City
175 East 200 North
St. George UT 84770

DESCRIPTION OF TRANSACTION:

The following road is located within the boundary of Ft. Pierce Business Park and dedicated to St. George City pursuant to Par. 3.1 of the Operating Agreement for Ft. Pierce Business Park, L.C. dated November 1, 1998, (DEVL 21).

COMMERCE DRIVE EXTENSION ROAD DEDICATION (DEVL 895) (CONTINUED)

LEGAL DESCRIPTION:

Township 43 South, Range 15 West, SLB&M
Sections 17 and 20:

A parcel of land located in the southwest ¼ of Section 17 and the Northwest ¼ of Section 20, Township 43 South, Range 15 West, Salt Lake Base and Meridian, being more particularly described as follows:

Commencing at the South ¼ Corner of said Section 17, and running thence North 88° 45'22" West, 1769.89 feet along the south line of said Section 17; Thence South 160.33 feet to the True Point of Beginning; Thence North 47°15'29" East 99.92 feet to the point of a 1450.00 foot radius curve to the right; Thence Northeasterly 777.03 feet along the arc of said curve through a central angle of 30°42'13" to a point on the west line of Commerce Drive; Thence South 01°16'13" West 82.34 feet along said west line to a point on a 1370.00 foot radius curve to the left the radius point of which bears South 12°49'51" East; Thence Southwesterly 622.99 feet along the arc of said curve through a central angle of 26°03'16" to the point of a 35.00 foot radius compound curve to the left; Thence Southerly 56.76 feet along the arc of said curve through a central angle of 92°55'10"; Thence South 48°53'21" West 66.00 feet to the point of a 35.00 foot radius curve to the left, the radius point of which bears South 48°11'42" West; Thence Westerly 55.55 feet along the arc of said curve through a central angle of 90°56'13"; Thence South 47°15'29" West 53.74 feet; Thence North 42°44'31" West 80.00 feet to the True Point of Beginning.

Contains 1.622 acres more or less.

NUMBER OF ACRES BY COUNTY: 1.62 acres – Washington County

NUMBER OF ACRES BY FUND: 1.62 acres – School

MINERAL RESERVATIONS:

Excepting and reserving to the State all coal, oil and gas, and other mineral deposits.

SURFACE RESERVATIONS:

None

Upon recommendation of Alexa Wilson, the Director approved the above item.

ACTIONS CONTAINING FEE WAIVERS

NONE